## REMARKS

A clarifying amendment has been made to each of claims 1, 13 and 15. This clarifies the purpose of the polling message, which is "to request that the user equipment acknowledges receipt of the second data blocks". As will be explained below, with this clarifying amendment, the Applicants respectfully traverse the rejections raised in the Official Action.

Some embodiments of the present invention addresses the problem of having to store data at a buffer of network equipment when communicating with a user equipment. Network equipment, such as the PCU (22, Fig.5), stores a copy of data which has been sent to a user equipment, and polls the user equipment to check if it correctly received the data. Data is stored until an acknowledgment is received. This can require large amounts of data to be buffered. There is also a desire not to poll a user equipment unnecessarily regularly for this acknowledgement, as this will use resources on the downlink which could otherwise be used for carrying data. Dynamically setting the polling interval for acknowledgement based on size of the first or second data blocks, or the service to which the user equipment is subscribed, minimises the amount of buffered data while not using too many of the downlink resources.

### *Claim Rejections – 35 USC § 102*

The Examiner rejected claims 1-3, 6-17 and 19-20 under 35 U.S.C. 102(e) as being anticipated by Haartsen (US 7,016,372). This rejection is respectfully traversed in view of the following remarks.

Haartsen describes a polled communication system in which a master device periodically polls each of the slaves in the system. The purpose of the poll is to give a slave permission to send data (see, for example, col.8 line 67 – col.9 line 4 "The master has….complete control over which slave can send information because a slave cannot transmit unless it is polled in a preceding slot.") A slave is polled even if it has no data to send (see col.9 lines 4-7 "If the master has no information to send to the slave, it is preferable for the master still to occasionally poll the slave for the purpose of finding out whether the slave has information to send.") This contrasts with what is required by claim 1, where the polling message is sent after transmission of the second data blocks to the user equipment and the purpose of the polling message is "to request that the user equipment acknowledges receipt of the second data blocks". Haartsen does

not teach, or suggest, such an arrangement. Indeed, Haartsen is totally silent on the issue of acknowledging receipt of received data.

Independent claims 13 an 15 have similar limitations as claim 1 and are considered allowable for the same reasons as claim 1. Other rejected claims 3, 6-12, 14, 16, 17, 19-20 are dependent upon one of independent claims 1, 13 and 15 and are considered allowable at least by virtue of their dependency on an allowable base claim. Withdrawal of the rejection is respectfully requested.

## *Claim Rejections – 35 USC § 103*

The Examiner rejected claims 4-5 and 18 under 35 U.S.C. 103(a) as being unpatentable over Haartsen in view of Schoch (US 5,973,609).

Respectfully, this rejection is now rendered moot. Haartsen fails to teach certain features of claims 1, 13 and 15, as explained above. Schoch also fails to teach these features. Schoch describes a communication system with data terminals and controllers. In a similar manner to Haartsen, Schoch describes polling data terminals for the purpose of granting the data terminals permission to transmit data, see for example col.6 lines 19-31. Schoch does not describe polling a user equipment to determine if the user equipment received data, nor does it describe dynamically setting a polling interval for the transmission time of this polling message. The only acknowledgment described in Schoch is that of the controller acknowledging the transmission of a data terminal (see col.6 lines 19-21), and not of a user equipment acknowledging receipt of data blocks.

For these reasons, even if, hypothetically, one of ordinary skill in the art were to combine Haartsen and Schoch they would not arrive at the subject matter of claims 1, 13 and 15.

In view of the fact that all of the Examiner's comments have been addressed, further and favorable consideration is respectfully requested. Allowance of all claims is respectfully requested.

The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 20-1504 (BGC.0002US).

Respectfully submitted,

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